107A-C, 108, 109, 111, 112, and 113. The components on the downstream path between upconverter 123 and the cable modems are not depicted. --

IN THE CLAIMS:

All pending claims have been reproduced in an Appendix below for the convenience of the Examiner.

Please substitute the following clean claims 15 and 35 for the corresponding claims. A marked up version of the amended claims and all pending claims are presented in the Appendices below.

15. (Amended)   The method of claim 11, further comprising:

after instructing the cable modem to adjust its power, determining that the upstream signals from the cable modem contain less than the threshold level of noise or fluctuation; and

returning to the first technique for adjusting the cable modem power.

35. (Amended)   The computer program product of claim 32, further comprising program instructions for:

after instructing the cable modem to adjust its power, determining that the upstream signals from the cable modem contain less than the threshold level of noise or fluctuation; and

returning to the first technique for adjusting the cable modem power.

Please add the following new claims 36-42:

36. (New)   The method of claim 1, wherein instructing the cable modem to adjust its power comprises sending instructions from the headend to the cable modem.

37. (New)   The method of claim 11, further comprising sending instructions from the headend to the cable modem to adjust the cable modem power by amount determined using the second technique.

38. (New)   The method of claim 24, wherein instructing the cable modem to adjust its frequency comprises sending instructions from the headend to the cable modem.